

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	
Kelvin R. Haywood, Sr.)	Case No.
Debtor.)	Hearing Date:
)	Hearing Time:
)	Hearing Location:

CHAPTER 13 PLAN

PAYMENTS. Debtor is to pay to the Chapter 13 Trustee the sum of the following amounts: (complete one of the following payment options)

\$_____ per month for _____ months.

\$ 645.00 per month for 12 months, then \$ 530.00 per month for 36 months, then \$ 450.00 per month for 12 months.

A total of \$_____ through _____, then \$_____ per month for _____ months beginning with the payment due in _____, 20____.

In addition, Debtor shall pay to the Trustee, and the plan base shall be increased by the following:

(1) Tax Refund. Debtor shall send any tax refund received during the pendency of the Chapter 13 case to the Trustee; however, Debtor may retain a portion of a tax refund to pay income taxes owed to any taxing authority for the same period as the refund. Debtor may also retain \$1,250 for single filers or \$1,500 for joint filers and refundable tax credits consisting of Earned Income Credit (EIC) and Additional Child Tax Credit each year. (2) Employee Bonuses. Debtor shall send fifty percent of any employee bonus or other distribution paid or payable to Debtor during the term of the plan. (3) Additional Lump Sums. Debtor shall send additional lump sums(s) consisting of _____, if any, to be paid to the Trustee.

DISBURSEMENTS. Creditors shall be paid in the following order and in the following fashion. Unless stated otherwise, the Chapter 13 Trustee will make the payments to creditors. All disbursements by the Trustee to be made pro-rata by class, except per month disbursements described below. However, if there are funds available after payment of equal monthly payments in paragraph 5 and fees in paragraph 6, those funds shall be distributed again to those same paragraphs until paid in full before distributing to the next highest paragraphs:

1. **Trustee and Court Fees.** Pay Trustee a percentage fee as allowed by law and pay filing fees if the Court enters an order providing for filing fees to be paid in the Chapter 13 plan.

2. **Executory Contract/Lease Arrearages.** Trustee to cure pre-petition arrearage on any executory contract accepted in paragraphs 3(A or B) over the following period, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD
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3. Pay sub-paragraphs concurrently:

(A) **Post-petition real property lease payments.** Debtor assumes executory contract for real property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
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(B) **Post-petition personal property lease payments.** Debtor assumes executory contract for personal property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	EST MONTHS REMAINING
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(C) **Continuing Debt Payments (including post-petition mortgage payments on real estate other than Debtor's residence)** Maintain payments of the following continuing debt(s) in accordance with terms of the original contract with any arrearages owed at the time of filing to be cured in paragraph 5 below.

CREDITOR NAME	MONTHLY PAYMENT
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(D) **Post-petition mortgage payments on Debtor's residence.** Payments due post-filing on debt(s) secured by lien(s) on Debtor(s) residence to be at the monthly amount listed below (or as adjusted by creditor under terms of loan agreement) to:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
Select Portfolio Servicing	1,183.50	Debtor

(E) **DSO Claims in equal installments.** Pay any pre-petition domestic support obligation arrears (not provided for elsewhere in this plan) in full in equal monthly installments over the life of the plan, estimated as:

CREDITOR NAME	TOTAL AMOUNT DUE	INTEREST RATE
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4. **Attorney Fees.** Pay Debtor's attorney \$ 1,300.00 in equal monthly payments over 12 months. Any additional fees allowed by the Court shall be paid pursuant to paragraph 6 below. [See the Local Rules for limitations on use of this paragraph]

5. Pay sub-paragraphs concurrently:

(A) **Pre-petition arrears on secured claims paid in paragraph 3.** Pay pre-petition arrearage on debts paid under paragraphs 3 (C) or (D) in equal monthly installments over the period set forth below and with the interest rate identified below, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD	INTEREST RATE
Select Portfolio Servicing	13,250.00	48 months	0.00

(B) **Secured claims to be paid in full.** The following claims shall be paid in full in equal monthly payments over the period set forth below with 5.00 % interest.

CREDITOR	EST BALANCE DUE	REPAY PERIOD	TOTAL w/ INTEREST
MSD	1,833.25	55 months	2,055.35
MSD	514.77	55 months	576.95

(C) **Secured claims subject to modification.** Pay all other secured claims the fair market value of the collateral, as of the date the petition was filed, in equal monthly payments over the period set forth below with 5.00 % interest and with any balance of the debt to be paid as non-priority unsecured debt under paragraph 9 (A), estimated as set forth below:

CREDITOR	BALANCE DUE	FMV	REPAY PERIOD	TOTAL w/ INTEREST
Exeter Financial Corporation	12,442.70	8,325.00	55 months	9,332.40

(D) **Co-debtor guaranteed debt paid in equal monthly installments.** The following co-debtor guaranteed claims(s) to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in equal monthly installments over the period set forth below and with interest as identified below.

CREDITOR	EST BALANCE	TRUSTEE/CO-DEBTOR	PERIOD	INTEREST RATE
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(E) Pay any post-petition fees and costs as identified in a notice filed per Federal Rule of Bankruptcy Procedure 3002.1 as a supplement to an allowed claim or any other post-petition fees and costs which the Court allows and orders the Trustee to pay. Any such amounts shall be paid in equal monthly payments over the remainder of the plan duration and shall not receive interest.

6. Pay \$ 2,000.00 of debtor's attorney's fees and any additional attorney fees allowed by the Court.

7. Pay sub-paragraphs concurrently:

(A) **Unsecured Co-debtor guaranteed claims**. The following unsecured co-debtor guaranteed debt to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in full with interest rate as identified below.

CREDITOR NAME	EST TOTAL DUE	TRUSTEE/CO-DEBTOR	INTEREST RATE
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(B) **Assigned DSO Claims**. Domestic support obligation arrearages assigned to, or recoverable by, a governmental unit, to be paid a fixed amount with the balance to be owed by the Debtor(s) after completion of the Plan, pursuant to § 507(a)(1)(B) and 1322(a)(4). Regular payments that become due after filing shall be paid **directly** by Debtor(s).

CREDITOR	TOTAL DUE	TOTAL AMOUNT PAID BY TRUSTEE (100% or lesser dollar amount enumerated here)
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8. **Priority Claims**. Pay the following priority claims allowed under 11U.S.C. section 507 in full, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE
Collector of Revenue	737.36
Collector of Revenue	870.12

9. Pay the following sub-paragraphs concurrently:

(A) **General Unsecured Claims**. Pay non-priority, unsecured creditors. Estimated total owed: \$ 19,212.73 . Amount required to be paid to non-priority unsecured creditors as determined by 1325(a)(4) hypothetical Chapter 7 liquidation calculation: \$ 0.00 . Amount required to be paid to non-priority unsecured creditors as determined by 1325(b) calculation: \$ 0.00 . Debtor guarantees a minimum of 0.00 (Dollar amount or 100%) will be paid to non-priority unsecured creditors.

(B) **Surrender of Collateral**. Debtor proposes to surrender the following collateral to the following creditor(s) with any deficiency paid as non-priority unsecured debt:

CREDITOR	COLLATERAL
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(C) **Rejected Executory Contracts/Leases**. Debtor rejects the following executory contract(s) with the following creditor(s). Any balance to be paid as non-priority unsecured debt:

CREDITOR	CONTRACT/LEASE
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10. Other: Debtor to file lien avoidance to avoid judgment lien in favor of Portfolio Recovery Associates, LLC.

11. All secured creditors shall retain the liens securing their claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section 1328. However, the Debtor will request avoidance of non-purchase money liens secured by consumer goods as well as judicial liens which impair exemptions and said creditors will not retain their liens if the Court enters an order granting the Debtor's request to avoid the liens.

12. Any pledged credit union shares or certificates of deposit held by any bank shall be applied to the amount owed such Claimant.

13. Title to Debtor's property to re-vest in Debtor upon confirmation. Debtor is not to incur further credit or debt without the consent of the Court unless necessary for the protection of life, health or property and consent cannot be obtained readily. Within fourteen days of filing federal and state income tax returns, Debtor shall provide a copy of each return to the Chapter 13 Trustee.

14. Any post-petition claims filed and allowed under 11 U.S.C. section 1305 may be paid through the plan.

CREDITOR'S NOTICE: YOU MUST FILE A CLAIM IN ORDER TO PARTICIPATE IN DISBURSEMENTS PROPOSED HEREIN. CLAIMS SHALL SHARE ONLY IN FUNDS DISBURSED AFTER THE CHAPTER 13 TRUSTEE RECEIVES THE CLAIM. IN COMPLIANCE WITH ORDER OF THE COURT, ABSENT A SPECIFIC ORDER OF THE COURT TO THE CONTRARY, THE CHAPTER 13 TRUSTEE, RATHER THAN THE DEBTOR, WILL MAKE ALL PRE-CONFIRMATION DISBURSEMENTS PURSUANT TO SECTION 1326(a). ALL CREDITORS ENTITLED TO PRE-CONFIRMATION DISBURSEMENTS, INCLUDING LEASE CREDITORS, MUST FILE A PROOF OF CLAIM TO BE ENTITLED TO RECEIVE SUCH PAYMENTS FROM THE CHAPTER 13 TRUSTEE. PURSUANT TO LOCAL RULE, THE PROOF OF CLAIM SHALL CONTROL THE VALUATION OF COLLATERAL AND ANY VALUATION STATED IN THE PLAN SHALL NOT BE BINDING ON THE CREDITOR. THE TRUSTEE, IN HIS SOLE DISCRETION, MAY DETERMINE TO RESERVE FUNDS FOR PAYMENT TO ANY CREDITOR SECURED BY A MORTGAGE ON REAL ESTATE PENDING FILING OF A CLAIM.

DATE: May 8, 2017

DEBTOR: /s/ Kelvin R. Haywood, Sr.

DATE: _____

DEBTOR: _____

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	
Kelvin R. Haywood, Sr.)	Case No.
)	Chapter 13
Debtor)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Debtors Chapter 13 Plan was served upon the following by enclosing said plan in an envelope clearly addressed to said party with postage fully prepaid and by depositing said envelopes in a U.S. Post Office mail box and/or electronically in St. Louis, Missouri on the 11th day of May, 2017

John V. LaBarge, Jr.
Chapter 13 Trustee
P.O. Box 430908
St. Louis, MO 63143

Office of the U.S. Trustee
111 South Tenth Street
Room 6353
St. Louis, MO 63102

All creditors on the attached matrix.

/s/John C. Caraker

ACI, LLC
2420 Sweet Home Rd # 150
Amherst, NY 14228-2244

afni
1310 Martin Luther King Drive
Bloomington, MO 61702-3517

America's Financial Choice, Inc.
651 Carlyle Avenue G
Belleville, IL 62221

Audit Systems, Inc.
3696 Ulmerton Road 200
Clearwater, FL 33762

Barnes-Jewish Hospital
P.O. Box 954540
St. Louis, MO 63195-4540

BJC Healthcare
P.O. Box 958410
St. Louis, MO 63195-8410

BJC Medical Grp at Northwest HealthCare
P.O. Box 958417
St. Louis, MO 63195-8417

Collector of Revenue
1200 Market St Rm 410
Saint Louis, MO 63103-2807

Consumer Collection Management, Inc.
P.O. Box 1839
Maryland Heights, MO 63043-1839

Diversified Consultants, Inc.
P.O. Box 551268
Jacksonville, FL 32255-1268

ERC
P.O. Box 23870
Jacksonville, FL 32241-3870

Exeter Finance Corp.
P.O. Box 204480
Dallas, TX 75321-4480

Fedloan Servicing
P.O. Box 69184
Harrisburg, PA 17106-9184

Gateway Digestive & Liver Spec,, LLC
4510 Delmar Boulevard
St. Louis, MO 63108-1702

Internal Revenue Service
PO Box 21126
Philadelphia, PA 19114-0326

Juniper Card Services
P.O. Box 13337
Philadelphia, PA 19101-3337

Kramer & Frank, P.C.
9300 Dielman Industrial Drive 100
St. Louis, MO 63132-2205

Medicredit, Inc.
P.O. Box 1629
Maryland Heights, MO 63043-0629

Mericredit, Inc.
P.O. Box 1629
Maryland Heights, MO 63043-0629

Metropolitan St. Louis Sewer District
P.O. Box 437
St. Louis, MO 63166-0437

Missouri Department of Revenue
Bankruptcy Unit
P.O. Box 475
Jefferson City, MO 65102-0475

One Advantage, LLC
7650 Magna Drive
Belleville, IL 62223

One Main
P.O. Box 64
Evansville, IN 47701-0064

Pech, Hughes & McDonald, P.C.
P.O. Box 2165
Cedar Rapids, IA 52406

Portfolio Recovery Associates, LLC
P.O. Box 12903
Norfolk, VA 23541

Sam's Club/GECRB
P.O. Box 530942
Atlanta, GA 30353-0942

Schwartzkopf Law Offices
2600 Forum Boulevard A
Columbia, MO 65203

Sean Hadican
120 Corporate Boulevard
Norfolk, VA 23541

Select Portfolio Servicing, Inc.
P.O. Box 65250
Salt Lake City, UT 84165-0250

SLUCare Physician Group
P.O. Box 18353M
St. Louis, MO 63195-8353

Sprint
P.O. Box 4191
Carol Stream, IN 60197-4191

SSM Health SLU Hosp Anes Physician
P.O. Box 505313
St. Louis, MO 63150-5313

SSM Health SLU Hospital
P.O. Box 505313
St. Louis, MO 63150-5313

Sun Loan
9000 St. Charles Rock Road
St. John, MO 63114

Tower Loan of Missouri, Inc.
116 West Main Street
Washington, MO 63090

United States Attorney
111 South 10th Street, 20th Floor
St. Louis, MO 63102

Washington University Physicians
P.O. Box 502432
St. Louis, MO 63150-2432

Washington University Physicians
P.O. Box 1839
Maryland Heights, MO 63043-1839

Wetsch Abbott Osborn Van Vliet, PLC
P.O. Box 2165
Cedar Rapids, IA 52406